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WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA, LOUISIANA

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

DERRICK DEWAYNE DAVIS

CIVIL ACTION NO. 1:12-CV-839

VERSUS

JUDGE JAMES T. TRIMBLE, JR.

WARDEN

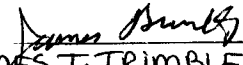
MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

IT IS ORDERED that this petition for habeas corpus be DENIED AND DISMISSED WITH PREJUDICE because Petitioner's claims are barred by the one-year limitations period codified at 28 U.S.C. §2244(d), and he is not eligible for the benefits of either statutory or equitable tolling.

THUS DONE AND SIGNED at Alexandria, Louisiana, this 3<sup>rd</sup> day  
of October, 2012.

  
JAMES T. TRIMBLE, JR.  
UNITED STATES DISTRICT JUDGE